

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GLORIA J. JACKSON	:	CIVIL ACTION
Plaintiff,	:	
v.	:	
DREAM HOME REMODELING, INC.	:	DOCKET NO.: 02-CV-4027
d/b/a American Dream Remodeling	:	
and	:	
MILLENNIUM CAPITAL CORPORATION	:	
and	:	
HEATHER FRANCAVAGE	:	
and	:	
CHELSEA SETTLEMENT SERVICES, INC	:	
and	:	
JOSEPH SCHLAMOWITZ a/k/a	:	
JOSEPH BURGER	:	
and	:	
A.J. LEEMAN, A/K/A	:	
ALFRED GEORGE LEEMAN, IV	:	
and	:	
WOODIE ZIMMERMANN	:	
and	:	
FIRST UNION NATIONAL BANK	:	
OF DELAWARE	:	
Defendants.	:	
	:	

**PLAINTIFF'S MOTION TO VACATE ORDER OF DISMISSAL FOR 10 DAYS
PURSUANT TO LOCAL RULE 41.1**

1. On September 15, 2003, pursuant to notification by the parties of the settlement of the above action, this Honorable Court entered an Order dismissing the action with prejudice. (See 9/15/03 Order attached hereto as Exhibit A).

2. As of today, December 15, 2003, Plaintiff is still awaiting a modification agreement from Defendant FIRST UNION NATIONAL BANK OF DELAWARE and settlement drafts from defendants Chelsea Settlement Services, and Millennium Capital Corporation.

3. Plaintiff has no reason to believe that she will not receive what is due from the

settling defendants. However, in light of the fact that 90 days has passed plaintiff's counsel is concerned with protecting the plaintiff's interests.

4. Pursuant to Local Rule 41.1 of the Federal Rules of Civil Procedure for the Eastern District of Pennsylvania Plaintiff asks this Honorable Court to Vacate the Order of Dismissal for a period of ten (10) days for these issues to resolve.

WHEREFORE, the Plaintiff respectfully requests that the Honorable Court ratify the attached Order Vacating the Court's Previous Order of Dismissal and re-enter the Order with in ten (10) days, unless notification is received by the Court that there is any problem with the settlement.

FELDMAN & PINTO

Dated: December 15, 2003

BY: _____

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ALFRED GEORGE LEEMAN, IV	:	
and	:	
WOODIE ZIMMERMANN	:	
and	:	
FIRST UNION NATIONAL BANK	:	
OF DELAWARE	:	
	Defendants.	:
		:

ORDER

AND NOW this _____ day of _____, 2003, it is hereby ORDERED
 that the Order of Dismissal filed September 15, 2003, is hereby VACATED.

BY THE COURT:

Cynthia Rufe, J.

CERTIFICATION OF SERVICE

I hereby certify that I caused the below-described documents to be mailed via United States Mail to the person listed below on the date below.

DATE: December 15, 2003

DOCUMENT: **PLAINTIFF'S MOTION TO VACATE ORDER OF DISMISSAL
FOR 10 DAYS PURSUANT TO LOCAL RULE 41.1**

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